

MINUTES

of the

ORGANIZATIONAL MEETING

COUNCIL OF THE COUNTY OF MAUI

January 2, 2015

THE ORGANIZATIONAL MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, JANUARY 2, 2015, BEGINNING AT 2:00 P.M., WITH MAYOR ALAN M. ARAKAWA PRESIDING IN ACCORDANCE WITH SECTION 3-5.1 OF THE MAUI COUNTY CHARTER.

ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, DONALD S. GUZMAN, G. RIKI HOKAMA, MICHAEL P. VICTORINO, AND MICHAEL B. WHITE.

ACTING COUNTY CLERK DENNIS A. MATEO: Mr. Mayor, all nine Members of the Council are present. A quorum is present to conduct the business of the Council.

MAYOR ALAN M. ARAKAWA: Thank you, Mr. Clerk.

We are now going to do the Pledge of Allegiance, so if everyone will please rise and join me in reciting the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Mayor and Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

MAYOR ARAKAWA: Thank you very much. Before we proceed, as a matter of protocol, will everyone please either turn their cell phones off or to the silent mode so we don't have any unnecessary interruptions.

Mr. Clerk, proceed.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

ACTING COUNTY CLERK: Mr. Mayor, proceeding with presentation of written testimony on agenda items. We have established limited telephone interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai, should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

And pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes with one minute to conclude if requested. When testifying, please state your name and the name of the organization that you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good afternoon, this is Dawn Lono at the Hana Office and there is no one waiting to testify.

ACTING COUNTY CLERK: Thank you. Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

ACTING COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MR. SCOTT JENSEN: Good afternoon, this is Scott Jensen at the Molokai Office, there is no one here waiting to testify.

ACTING COUNTY CLERK: Thank you.

Mr. Mayor, we have no one that have signed up to provide testimony in the chamber this afternoon. And as you have heard, there is no one at our District Offices that have signed up to provide testimony as well.

MAYOR ARAKAWA: Thank you very much. In that case, unless there's objections, we will close public testimony.

MEMBERS VOICED NO OBJECTION.

MAYOR ARAKAWA: Mr. Clerk, has any written testimony been submitted.

ACTING COUNTY CLERK: Mr. Mayor, we have just received written testimony, yes.

MAYOR ARAKAWA: Okay, let's see. And has all the Councilmember have the written testimony, have copies.

ACTING COUNTY CLERK: Mr. Mayor, yes they do.

MAYOR ARAKAWA: Okay, then for the record, we'll accept that written testimony.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM JIM SMITH WAS MADE A PART OF THE
RECORD OF THIS MEETING.

MAYOR ARAKAWA: In that case, if there is no one else in the public that wants to testify, is there anyone at this point that wants to testify? If not, then we will close public testimony.

MEMBERS VOICED NO OBJECTION.

MAYOR ARAKAWA: Mr. Clerk, please proceed.

ACTING COUNTY CLERK: Mr. Mayor, proceeding with agenda items.

The following resolution was presented.

RESOLUTION
NO. 15-1

ELECTING THE CHAIR OF THE COUNCIL

BE IT RESOLVED by the Council of the County of Maui that the Honorable Mike White be and is hereby elected Chair of the Council of the County of Maui for the term commencing January 2, 2015, twelve o'clock meridian, and terminating January 2, 2017, twelve o'clock meridian.

MAYOR ARAKAWA: Member Guzman.

COUNCILMEMBER GUZMAN: Thank you.

IT'S MY HONOR TO MOVE TO ADOPT THE RESOLUTION
15-1, "ELECTING THE CHAIR OF THE COUNCIL".

MAYOR ARAKAWA: It's been moved by Member Guzman.

Is there a second.

COUNCILMEMBER HOKAMA:

SECOND.

MAYOR ARAKAWA: Mr. Hokama.

COUNCILMEMBER GUZMAN: Thank you, Chair. Thank you. I would like to ask the Clerk to read the resolution in its entirety.

MAYOR ARAKAWA: Mr. Clerk.

(The resolution was read in its entirety.)

MAYOR ARAKAWA: Discussion?

Councilmember Guzman.

COUNCILMEMBER GUZMAN: Thank you. I rise in support of this resolution. I think change is always a good thing. Sometimes it's not an easy thing but in, in these times, I believe that Mr. White is the person that should be leading this Council. He is a man of integrity. I believe that he is a person that is, has the moral compass to lead this Council, to find that balances, checks and balances which will do the community rightful and have the justice to prevail. And so I would hope that my fellow colleagues rise in support of this motion. Thank you.

MAYOR ARAKAWA: Thank you. Councilmember Hokama. No comment? You made the second so, courtesy of having--

COUNCILMEMBER HOKAMA: Thank you, Mayor. I appreciate that gesture. No further comment, thank you.

MAYOR ARAKAWA: Okay, comments by Councilmembers.

Councilmember Crivello.

COUNCILMEMBER CRIVELLO: No comments, Mr. Mayor.

MAYOR ARAKAWA: Councilmember Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. We are at a point now where we are looking at having a new Chair. Many people I feel and I was talking to Mr. White earlier don't really realize what the Chair of the Council, his responsibilities are, what they really are.

The Chair of the Council, his first responsibility is to make sure every Member of this Council is able to perform their duties. He's responsible to have the seventh floor and the Clerk's Office functional to be able to do this. He is responsible to make sure that the Administration, working with the Administration, that all of the department heads are available for the different Chairs and indeed to the different Members for the things that they need, need to pursue. Alongside with, as our Hawaii Mayor has said, with the State and Federal, we need to address that too.

It's really important to have a Chair that addresses every Councilmember's concerns because the bottom line is each Councilmember is different. Each one of us represents a different district and we bring that expertise from these districts back to this Council so we can have better representation of our people. But we are responsible for all of Maui County, every Member over here. Everyone has this responsibility and needs to have the proper resources in order to be able to carry it out.

And I hope that as Mr. Kenoi said, it's aloha. We don't need my way or the highway and we don't need by bending over and going belly up when things get rough. The Council Chair needs to make it happen period. There can be no excuses. There is no such thing as I can't work with that person. The Council Chair needs to do all of this in order to make us effective so we can truly represent our people. Mahalo.

MAYOR ARAKAWA: Thank you.

Councilmember Cochran, comments.

COUNCILMEMBER COCHRAN: Thank you, Mayor for the opportunity. I concur with my fellow Councilmember Don Guzman's opening comments, but I'd like to add since I've been called that I believe I'm in support of Mike White as Chair for this Council this time. And you know, I believe that every Member will be supportive as Mr. Carroll had just stated and, and individual concerns addressed in a fair, efficient, expeditious type manner.

I've seen him, you know, be able to work a fulltime job and oversee numerous employees under his watch and so I know he's quite capable and feel very confident to have him and, looking forward to having him as Chair this session. Thank you, Mayor.

MAYOR ARAKAWA: Thank you.

Councilmember Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Mayor. And, you know, I was listening to Mayor Kenoi today, he talked about how the groups agree, sometimes they disagree, sometimes they agree to disagree, but it's all done with aloha and with the people of Maui County in mind. I have a feeling, this Council has worked together for two years and I know everybody here thinks they're doing what's best for Maui County, the people of Maui County. I have no doubt about that. I have no doubt about everybody's commitment to this job.

I do have some concerns about, you know, change, yeah, change is a good thing if there is change for a reason. It was mentioned that the moral compass is there. The implication sounds like the moral compass wasn't there and I'm, I was very pleased with the way Chair Baisa ran this Council and I'm sure that Mr. White will run the Council well as well. I hope that we are allowed to disagree and still work together.

I personally think that the Council was doing quite well under Chair Baisa and, and have some concerns about the ability, the Chair's office is a 80 hour a week job plus. And that's my concern is, unfortunately I don't know if we're going to have that, I hope that we will, but I don't, I'm worried more about the health of, of Mr. White if he has two jobs that he has to deal with.

So, for that matter, I would still like to see if, if you have a concern, if the group has a concern with Chair Baisa that we discuss it. We haven't had a chance to discuss this. This is the first time we're all together and have a chance. So at this point, I, I'm probably going to be in support of Chair Baisa and vote with her. Thank you.

MAYOR ARAKAWA: Thank you.

Councilmember Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mayor. And, I wanted to listen to the various discussion by Members and what their feelings were. I've had no problem working with almost everyone on this table. Through the years, I've learned whether the personalities are different, whether their goals and objectives were different, I agree with my colleague who said we are all here for the people of Maui County. We work for the betterment of the people. That's why I came in to do the job for the people and I will continue to work hard for the people.

I respect the leadership that we've had and I will give the same respect for the leadership we will have. All I desire is that we all remember, we come in, we do the people's work, once it's said and done, we walk out and we can still look each other in the eye and say thank you friend, because we are still one community.

You know, Billy hit a number of issues right on the head but the one I think was really, really profound was the fact is, we are one community. And at the end of the day, we do go to the same churches, we do go to the same grocery stores, we do go to all the same places and we see each other, and we see the people. And let us hope that the people understand we're here for them and their purpose in making this community a better place.

So, I, I will say this that whether they want me, more further discussion on the issue, I'm open, I will listen, but I also say that if it's time to change, then I'll do my best to make that change work. I will support, just like I have, I've always been a team player, I've played with the team, I always work to make the team a better team, and that's my whole take on this. Thank you, Mr. Mayor for this opportunity.

MAYOR ARAKAWA: Thank you.

Councilmember White.

COUNCILMEMBER WHITE: No comment.

MAYOR ARAKAWA: Okay.

Councilmember Baisa.

COUNCILMEMBER BAISA: Thank you very much, Mr. Mayor. I appreciate the opportunity to make some comments.

I will not be voting in favor Mike White as Chair or Don Guzman as Vice-Chair and I'd like to take a few moments to explain why I cannot support them. It's nothing personal, I supported both of them; but, however, I'm not happy about how this has transpired.

Eight long weeks have passed since I had my personal day of infamy when Mr. Hokama walked into my office to inform me that he would be the new Chair. I don't know why things changed a week after that but I then received a second visit from Mr. White and Mr. Guzman who informed me that Mike would be Chair and Don would be Vice-Chair. Prior to these visits, I had never been approached nor had any visits from the three of them in regard to any possible dissatisfaction with my role as Chair.

Some of the excuses I was told and I heard were my being too close to the Mayor, too old to do the job, and campaigning for their opponents, which I didn't do in any substantial way. I guess my trying to work cooperatively with the Administration for the public good is not acceptable. Being the voice of reason in a dispute does not count politically in their opinion.

Strangely enough, the leaders of this coup are the Members I worked hard to get elected to office in their first campaigns. This is how I've been repaid. They are unable to accuse me of not doing a good job as Chair, and their complaints are basic, basically strictly political. I have always treated the Members, the staff, and the public with kindness, respect, and I will continue to do so. I have worked hard at making this Council transparent and to increase our effectiveness statewide. That's the reason why I was able to get Mayor Kenoi here today.

I am deeply grateful to those who have voted for me in five elections. Yes, I'm hurt and disappointed, but I'm a professional and I will do my job. I will work hard with my fellow Members to do the only thing that really matters and that is that we provide the best possible service to our people. Thank you very much for the opportunity to comment.

MAYOR ARAKAWA: Thank you very much.

Any further discussion? Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And I, you know, having heard everybody's discussion, I just want to make it clear on the record, no matter who we all vote, we all vote as a body. If there is five "ayes" and four "noes", it still is what the body's will is and we all work for this body, all work for the people of the County of Maui. So you know, whatever way we go, I am fully supportive of whoever we're going to have our Chair. I just am not happy with the way it has come about and it's unfortunate that we had to do it this way but, you know, it is what it is and if the Members all go one way, that's fine, I'm still supporting Chair Baisa.

MAYOR ARAKAWA: Any further discussion by anyone?

If not, we have a motion on the floor and for clarification, Clerk, would you please read the motion on the floor.

ACTING COUNTY CLERK: Member, excuse me, Mr. Mayor, the motion is to adopt Resolution 15-1, "ELECTING THE CHAIR OF THE COUNCIL".

MAYOR ARAKAWA: Okay, everyone's aware of what 15-1 is, "ELECTING THE CHAIR OF THE COUNCIL", Mr. Mike White. No further discussion. All those in favor say "aye."

COUNCILMEMBER COCHRAN: Aye.

CHAIR WHITE: Aye.

VICE-CHAIR GUZMAN: Aye.

MAYOR ARAKAWA: Opposed.

COUNCILMEMBER COUCH: No.

COUNCILMEMBER BAISA: No.

MAYOR ARAKAWA: Roll call vote.

ACTING COUNTY CLERK: Councilmember Robert Carroll.

COUNCILMEMBER CARROLL: AYE.

ACTING COUNTY CLERK: Councilmember Gladys Coelho Baisa.

COUNCILMEMBER BAISA: NO.

ACTING COUNTY CLERK: Councilmember Elle Cochran.

COUNCILMEMBER COCHRAN: AYE.

ACTING COUNTY CLERK: Councilmember Stacy Helm.

COUNCILMEMBER CRIVELLO: Crivello.

ACTING COUNTY CLERK: Crivello, excuse me.

COUNCILMEMBER CRIVELLO: AYE.

ACTING COUNTY CLERK: Councilmember Riki Hokama.

COUNCILMEMBER HOKAMA: AYE.

ACTING COUNTY CLERK: Councilmember Michael P. Victorino.

COUNCILMEMBER VICTORINO: AYE.

ACTING COUNTY CLERK: Councilmember Don S. Guzman.

COUNCILMEMBER GUZMAN: AYE.

ACTING COUNTY CLERK: Councilmember Mike White.

COUNCILMEMBER WHITE: AYE.

MAYOR ARAKAWA: You missed Don Couch.

ACTING COUNTY CLERK: Mr. Don Couch.

COUNCILMEMBER COUCH: NO.

AYES: COUNCILMEMBERS CARROLL, COCHRAN,
CRIVELLO, GUZMAN, HOKAMA, VICTORINO, AND
WHITE.

NOES: COUNCILMEMBERS BAISA AND COUCH.

ACTING COUNTY CLERK: Mr. Mayor, seven "ayes", two "noes".

MAYOR ARAKAWA: Thank you very much, the motion passes. Resolution 15-1 passes.

Chair, Council Chair Mike White, congratulations. Please take the podium.

CHAIR WHITE TAKES THE ROSTRUM

CHAIR WHITE: We didn't recess, right. Okay.

Well I have to say thank you to all of you who have come here this afternoon. I want to thank all of you that I've been working with for the last four years and those that joined us two years ago. And I'm honored and humbled by the support that the community of Maui having reelected me to the Council and I'm very honored by the support of my colleagues to have selected me as their Council Chair. So a very, very big and strong mahalo for your support.

We're blessed to have a strong team with nine Members of the previous Council returning for another term. We know each other's strengths, and will take advantage of that for the benefit of Maui County.

The Council has a responsibility to the community to provide leadership in several ways. We create and update policies in the Maui County Code to provide direction for our citizens and for the Administration. We control the purse strings for the County of Maui, through the budget review process and other means. We provide oversight and insure accountability for County operations. I'm confident that each of our Members will do great work for the people of Maui County with their new and in some cases continuing committee assignments.

As Chair, it's my responsibility to guide Council operations and facilitate a healthy working relationship amongst our Members and with the Administration. There are four guiding principles that have been emphasized throughout my life by my family, which I will bring to my responsibilities as your Chair. These are principles that have served me very well in my 40 years in leadership roles in the private sector.

The first is to always focus on the positive as we do our work. My mother was a social worker and juvenile probation officer for over, over 25 years in Honolulu and one of her main goals in life was to have everyone around her focus on the positive and remember to count our blessings.

Secondly, from both of my parents and both sets of grandparents came a very, very strong message to always do the right thing. Do what is pono as you will always be well served by that practice.

The third was a lesson to be responsible with money, to be frugal. My father set a great example by only spending money on necessities. My dad was six foot four inches tall and he always drove the smallest cars. He started over a, over a 45 year span of his life he drove only four vehicles, a Volkswagen Beetle, a Volkswagen Rabbit, a two-door Honda CR-X, and finally he upsized to a Honda Accord.

He could afford virtually any car he wanted, and one day he was, as he was folding himself into his Honda CR-X, I asked him "why don't you buy yourself a bigger car that might be a little more comfortable for you". And he looked at me and he said "because I don't need it". And that was the way he was. So that explains some of the way I am and I'm sure that Mr. Hokama's father probably gave him the same kind of lesson.

And the last is the focus on the importance of open and honest communication. We've placed two Pahu niu here in the chambers to symbolize communication and the calling together of people in our community as we do our work. Our processes are open by design and we will continue to work very hard calling the community together to provide their manao and hopefully to remain engaged. Openness and honesty from all of us is what you the community expect and deserve.

I've been blessed to serve in various positions in both the private and public sectors over the years and to have had the chance to apply these principles in a variety of settings. These four principles apply equally well in this place at work as they do in our lives at home and in our communities.

I pledge to you that you can count on from this Council the following: we will be straight with you; we will communicate openly with you; we will be positive and helpful; we will be responsible with your money; and most importantly, we will do what is pono.

Mahalo for your support and I look forward to working well with all of you as we have in the past. I agree with the comments by Mr. Couch and others that we have worked well together, we've had some disagreements, but in, in, in general we've worked very well together.

So I look forward to working with each of you in your respective committees. I think we have a, a committee chair lineup that is going to be able to hit the ground running and will be able to make a wonderful difference for the people of Maui. So, once again, mahalo for your support and I look forward to moving on.

And with that, Mr. Clerk, may we proceed.

The following resolution was presented.

RESOLUTION
NO. 15-2

ELECTING THE VICE-CHAIR OF THE COUNCIL

BE IT RESOLVED by the Council of the County of Maui that the Honorable Don S. Guzman be and is hereby elected Vice-Chair of the Council of the County of Maui for the term commencing January 2, 2015, twelve o'clock meridian, and terminating January 2, 2017, twelve o'clock meridian.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT RESOLUTION 15-2, "ELECTING THE VICE-CHAIR OF THE COUNCIL".

COUNCILMEMBER HOKAMA:

SECOND, SECOND.

CHAIR WHITE: It's been moved by Mr. Victorino and seconded by Mr. Hokama.

Any further discussion, Members?

COUNCILMEMBER VICTORINO: Mr. Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: May I request the reading of the resolution in its entirety.

CHAIR WHITE: Yes, yes.

COUNCILMEMBER VICTORINO: Please.

CHAIR WHITE: Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. I will speak in favor of this resolution. I've been impressed with this young man for quite a long time. I believe he is that new, young, dynamic leadership that this County will be looking forward to in the future, although there is much to be learned. And I still mentor him. And I appreciate his, at times, listening to my mentorship, although at times, may not be quite so easy. But I think he's proven to us and to the public at large that he is one of the young leaders that will be rising and hopefully leading this community in the not too distant future.

And so I will support the Chair, Vice-Chairmanship of Mr. Guzman and wish him continued success and pledge our undying, our undying support as far as working together. Thank you, Mr. Chair.

CHAIR WHITE: Thank you. Any further discussion, Members?

I would like to say that I'm honored to have him as my Vice-Chair. I think he has shown his willingness to work very, very hard and tackle problems that, that others may shy away from. So I look forward to working with you, Member Guzman, and thank you for accepting the responsibility.

Any further discussion? Seeing none, all those in favor please signify by saying "aye."

AYES: COUNCILMEMBERS CARROLL, COCHRAN, COUCH,
CRIVELLO, GUZMAN, HOKAMA, VICTORINO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER BAISA.

CHAIR WHITE: Okay, we have eight "ayes" and one "no", Ms. Baisa. So the measure passes.

Congratulations, Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

CHAIR WHITE: Mr. Clerk, proceed.

The following resolution was presented.

RESOLUTION
NO. 15-3

APPOINTING THE PRESIDING OFFICER
PRO TEMPORE OF THE COUNCIL

BE IT RESOLVED by the Council of the County of Maui that the Honorable Michael P. Victorino be and is hereby appointed Presiding Officer Pro Tempore of the Council of the County of Maui for the term commencing January 2, 2015, twelve o'clock meridian, and terminating January 2, 2017, twelve o'clock meridian.

CHAIR WHITE: Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. Excuse me.

I MOVE TO ADOPT RESOLUTION 15-3, "APPOINTING THE
PRESIDING OFFICER PRO TEMPORE OF THE COUNCIL".

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: It's been moved by Mr. Carroll and seconded by Mr. Couch.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. I would ask the, if you can request the Clerk to read the resolution in its entirety.

CHAIR WHITE: Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

I also have known Mr. Victorino for a very long time, even before he was on this Council. He is one of those people that you can count on. He's always been dedicated, he's always done his work. He's somebody that if the Chair and the Vice-Chair are not available and it's a very important position because staff doesn't have to run around trying to think who am I going to talk to to make a decision or sign a paper. And I don't think we could find a better person on this Council. Thank you Chair.

CHAIR WHITE: Thank you. Members, further discussion on the motion.

I want to thank Mr. Victorino for agreeing to take on the responsibilities of the Presiding Officer Pro Tempore and appreciate that.

Seeing no further discussion, all those in favor please signify by saying "aye."

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes, nine "ayes", zero "noes".

Mr. Clerk, please proceed.

The following resolution was presented.

RESOLUTION
NO. 15-4

ADOPTING THE RULES OF THE COUNCIL

BE IT RESOLVED by the Council of the County of Maui that it does hereby adopt the Rules of the Council as set forth in Exhibit "A", attached hereto and made a part hereof.

CHAIR WHITE: Member Baisa.

COUNCILMEMBER BAISA: Thank you very much, Mr. Chair.

I MOVE TO ADOPT RESOLUTION 15-4, "ADOPTING THE RULES OF THE COUNCIL".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Member Baisa and seconded by Member Victorino.

Mr., I'm sorry, Ms. Baisa.

COUNCILMEMBER BAISA: Ah, yes, thank you, Chair.

I have reviewed the draft that has been provided, or the final, the final piece that we're given. I would just simply like to say that I had spent quite a bit of time with staff going through these Rules. Not only our Rules, but also the rules of other

counties, hoping that we might make further changes, but apparently, that was not done. So I am okay with us passing this, but I would like to see us spend some time really looking at our Rules to see if they truly reflect the way that we operate and if there are better ways to operate. So I will be supporting this, thank, and I ask my Members to support it also. Thank you.

CHAIR WHITE: Thank you. Before we move to discussion, we'll have the Clerk read the, the resolution, not in its entirety since it includes all the Rules, just the title page, please.

(The title page of the resolution was read in its entirety.)

CHAIR WHITE: Ms. Baisa, you, would you like any more discussion?

COUNCILMEMBER BAISA: No, thank you, that's it.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I do, I did read through each one of these and there are two that I have concern with. And you know one of them, one's just a, referring to the wrong section of the Code, but because I have a couple of concerns with about five of them, if we could have those discussed in committee at a, at the next meeting, as Chair, Ms. Baisa said, I'd appreciate it. Thank you.

CHAIR WHITE: I think, I think that would be a very good discussion. I think the staff has gone through them but as usual, you've picked out a couple of things that, that were overlooked. So without objection, the Chair will refer this matter to the Policy Committee for further discussion.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay, thank you. So ordered.

COUNCILMEMBER COUCH: Mr. Chair.

CHAIR WHITE: I'm sorry. Quick recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 2:34 P.M., AND WAS RECONVENED AT 2:35 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR WHITE: This Council meeting will come back to order. A technicality, if the movant will just clarify that the, or without objection we'll just make note that the, the Rules are not shown or noted as Exhibit "A" but they are Exhibit "A". So if there's any--

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. Okay, any further discussion on the Rules? Seeing none, all those in favor please signify by saying "aye."

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes, nine "ayes", zero "noes".

Mr. Clerk, please proceed.

The following resolution was presented.

RESOLUTION
NO. 15-5

ESTABLISHING THE STANDING COMMITTEES OF
THE COUNCIL, DEFINING THEIR DUTIES, AND
APPOINTING THEIR MEMBERS

BE IT RESOLVED by the Council of the County of Maui that the following standing committees of the Council are established for the 2015-2017 Council term:

Budget and Finance Committee

Committee of the Whole

Economic Development, Energy, Agriculture, and Recreation
Committee

Housing, Human Services, and Transportation Committee

Infrastructure and Environmental Management Committee

Land Use Committee

Planning Committee

Policy and Intergovernmental Affairs Committee

Water Resources Committee

BE IT FURTHER RESOLVED by the Council of the County of Maui that, to expedite the business of the Council, the standing committees of the Council shall consider and make recommendations on all matters referred to such committees as follows:

1. Budget and Finance Committee
 - a. Financial and performance audits.
 - b. Budget, capital program, bond authorizations, and intergovernmental loans.
 - c. Taxes, rates, fees, and assessments for inclusion in the budget, except that revenue ordinances may also be considered by other standing committees.
 - d. Operations of the Department of Finance and the Department of Personnel Services, including salaries and collective bargaining cost items.
 - e. Operations of the Office of the County Auditor.
2. Committee of the Whole
 - a. Litigation matters, including special counsel, indemnifications, and settlements.
3. Economic Development, Energy, Agriculture, and Recreation Committee
 - a. Cultural, leisure, and recreational issues.

- b. Business and economic development issues, including agriculture.
 - c. Energy issues (including solar, geothermal, wind, biomass, hydropower, wave energy production, bio-fuel and synthetic fuel production, power systems, and energy-efficient technologies for buildings).
 - d. Operations of the Department of Parks and Recreation (including concessions) and the Office of Economic Development, including the oversight of any grants they administer.
- 4. Housing, Human Services, and Transportation Committee
 - a. Social services programs and related grants, including grants of interests in real property.
 - b. Affordable or residential workforce housing programs, excluding expedited approvals of housing projects pursuant to Chapter 201H, Hawaii Revised Statutes, or any successor statute.
 - c. Amendments to the Residential Workforce Housing Policy and other affordable housing ordinances.
 - d. Operations of the Department of Housing and Human Concerns and the Department of Transportation, including the oversight of any grants they administer.
- 5. Infrastructure and Environmental Management Committee
 - a. County facilities construction and maintenance (including road, drainage, and waste management systems), except for water supply and energy issues.
 - b. Amendments to the Subdivision Ordinance, Housing Code, and Building Code.
 - c. Traffic safety.
 - d. Issues relating to the protection, preservation, and enhancement of the environment, except for energy issues, but including recycling.

- e. Operations of the Department of Environmental Management and the Department of Public Works.
6. Land Use Committee
- a. Project-specific amendments of State land use boundaries, the General Plan, community plans, and zoning ordinances.
 - b. Other land use approvals, including variances and conditional permits.
 - c. Expedited approvals of housing projects pursuant to Chapter 201H, Hawaii Revised Statutes, or any successor statute.
7. Planning Committee
- a. Processing procedures for the General Plan and community plans.
 - b. Revisions to and updates of the General Plan and community plans that are not specific to a project, including the Maui Island Plan.
 - c. Land use ordinances not specific to a project.
 - d. Infrastructure impact fees based on long-range plans.
 - e. Operations of the Department of Planning, including the oversight of any grants it administers.
8. Policy and Intergovernmental Affairs Committee
- a. Intergovernmental issues, including the Hawaii State Association of Counties.
 - b. Appointments of executive branch officials, including board and commission members.
 - c. Issues involving the responsibilities of two or more standing committees.

- d. Revisions and updates to real property tax ordinances.
 - e. Operations of the Office of the County Clerk and the Office of Council Services.
 - f. Operations of the Civil Defense Agency; the Department of the Corporation Counsel, including ethics regulations; the Department of Fire and Public Safety; the Department of Liquor Control; the Department of Management; the Department of Police; the Department of the Prosecuting Attorney; and the Office of the Mayor (except for the Office of Economic Development).
9. Water Resources Committee
- a. Amendments to and enforcement of the County Water Code, including the Water Use and Development Plan.
 - b. Operations of the Department of Water Supply, including the oversight of any grants it administers.

BE IT FURTHER RESOLVED by the Council of the County of Maui that the following voting members are appointed to the various standing committees of the Council:

1. Budget and Finance Committee

G. Riki Hokama, Chair
Mike White, Vice-Chair
Gladys Coelho Baisa
Robert Carroll
Elle Cochran
Don Couch
Stacy Crivello
Don S. Guzman
Michael P. Victorino

2. Committee of the Whole

Don S. Guzman, Chair
Stacy Crivello, Vice-Chair
Gladys Coelho Baisa
Robert Carroll

Elle Cochran
Don Couch
G. Riki Hokama
Michael P. Victorino
Mike White

3. Economic Development, Energy, Agriculture, and Recreation Committee

Don S. Guzman, Chair
Elle Cochran, Vice-Chair
Don Couch
Stacy Crivello
G. Riki Hokama
Michael P. Victorino
Mike White

4. Housing, Human Services, and Transportation Committee

Stacy Crivello, Chair
Gladys Coelho Baisa, Vice-Chair
Robert Carroll
Don Couch
Don S. Guzman
G. Riki Hokama
Michael P. Victorino

5. Infrastructure and Environmental Management Committee

Elle Cochran, Chair
G. Riki Hokama, Vice-Chair
Gladys Coelho Baisa
Robert Carroll
Stacy Crivello
Don S. Guzman
Mike White

6. Land Use Committee

Robert Carroll, Chair
Michael P. Victorino, Vice-Chair
Gladys Coelho Baisa
Elle Cochran

Don Couch
Stacy Crivello
Don S. Guzman

7. Planning Committee

Don Couch, Chair
Robert Carroll, Vice-Chair
Gladys Coelho Baisa
Elle Cochran
Don S. Guzman
Michael P. Victorino
Mike White

8. Policy and Intergovernmental Affairs Committee

Michael P. Victorino, Chair
Don Couch, Vice-Chair
Gladys Coelho Baisa
Robert Carroll
Elle Cochran
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Mike White

9. Water Resources Committee

Gladys Coelho Baisa, Chair
Michael P. Victorino, Vice-Chair
Robert Carroll
Elle Cochran
Don Couch
Stacy Crivello
Mike White

BE IT FURTHER RESOLVED by the Council of the County of Maui that all Council members who are not voting members of a standing committee shall serve as non-voting members of the committee and may participate in the proceedings, but shall not be counted toward quorum for the committee.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: With no objections, I would ask for end of calendar on this item.

CHAIR WHITE: Okay. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

(RESOLUTION NO. 15-5 WAS POSTPONED TO THE END OF THE CALENDAR. See pages 35 through 40 for discussion and action.)

CHAIR WHITE: Mr. Clerk, please proceed with the next item.

The following resolution was presented.

RESOLUTION
NO. 15-6

APPOINTING THE COUNTY CLERK

BE IT RESOLVED by the Council of the County of Maui that it does hereby appoint Danny A. Mateo as the County Clerk of the County of Maui, effective retroactive to January 2, 2015, twelve o'clock meridian, for the term ending January 2, 2017, twelve o'clock meridian, unless terminated earlier.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO ADOPT RESOLUTION 15-6, "APPOINTING THE COUNTY CLERK".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Ms. Crivello and seconded by Mr. Victorino.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I request that the resolution be read in its entirety.

CHAIR WHITE: Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I respectfully ask for the Council's support of Resolution 15-6. Thank you.

CHAIR WHITE: Members, any further discussion?

COUNCILMEMBER BAISA: Chair.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Ah, yes, Chair, thank you. I would like to speak in strong support of this. I had the pleasure of appointing Mr. Mateo along with the support of my Members and I think he's done a yeoman's job for us. I got a few people who said oh well he hadn't done it, but I think that the Clerk's Office has done a great job for us, they've got us through some really tough elections this year. They, they walked into tough ones as rookies. And both Mr. Mateo and his Deputy have done a wonderful job for us so I would really like us to support them. Thank you.

CHAIR WHITE: Thank you. Any further discussion, Members?

Seeing none, all those in favor please signify by saying "aye."

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: And the measure passes, nine "ayes", zero "noes".

Congratulations, Mr. Mateo.

Please proceed.

The following resolution was presented.

RESOLUTION
NO. 15-7

APPOINTING THE DIRECTOR
OF COUNCIL SERVICES

BE IT RESOLVED by the Council of the County of Maui that it does hereby appoint David M. Raatz, Jr. as the Director of Council Services of the County of Maui, effective retroactive to January 2, 2015, twelve o'clock meridian, for the term ending January 2, 2017, twelve o'clock meridian, unless terminated earlier.

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

I MOVE TO ADOPT THE RESOLUTION 15-7, "APPOINTING
THE DIRECTOR OF COUNCIL SERVICES".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Vice-Chair Guzman and seconded by Member Victorino.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. May I request the Clerk to read the resolution in its entirety.

CHAIR WHITE: Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

I'm in support of this resolution. I have known Mr. Raatz for many years. I believe that he is the type of person that will put as one of the main priorities the integrity of the Council. And due to his past experience in various legal matters as well as his administrative experience, he is the right person for the job and shall continue to be a person that is a good resource for the Council. Thank you, Chair.

CHAIR WHITE: Thank you. Members, other.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, and I will wholeheartedly support that. Not only what my colleague has said but also the fact that I had the opportunity to work with David even in the, at the Legislature. And he's a real testament to his ability to help those who are down there trying to get information and helping us put that, put together a package that was well received this past Legislature and I hope in the future, this upcoming Legislative session.

So, I want to wholeheartedly support him. He's always proven to be very willing to listen and to understand and try to work the best, the best of his ability to find a, we are able to resolve any challenges we face on the Council. So, I can wholeheartedly support David Raatz for Council Services. Thank you.

CHAIR WHITE: Thank you, Mr. Victorino.

Ms. Baisa.

COUNCILMEMBER BAISA: Ah, yes, thank you, Chair.

In addition to what has already been said, and I'd like to say that I totally agree with that. I would like to add my support. I've had the opportunity, as departing Council Chair to work very closely with David. And he's a wonderful staff member, works very, very hard, and he was able to put up with me. You know, I have this bad habit of texting people on Sunday evening or whatever time that something strikes me that I really want to know and he's always there. And he's not a rubber stamp of any kind.

He's quick to tell me when he thinks I'm not going down the right road and advise me very carefully and tactfully. And he leads the staff very well, they all get along and David is very fair and kind to them. And I think that we were very lucky to have him. So I'm in full support, I ask my Members to support him. Thank you.

CHAIR WHITE: Other discussion, Members?

I would just like to add that I look forward to working with David, and I think he has served this Council well and will continue to do so. And I look forward to maintaining a very strong relationship within the Council Services and also we had a great relationship working with the Administration.

So if there's no further discussion, I'll call for the question. All those in favor, please signify by saying "aye."

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: All those opposed say "no".

NOES: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Let the record reflect eight "ayes" and one "no", Mr. Hokama. Measure passes. And we'll move on to the next item.

Mr. Clerk.

The following resolution was presented.

RESOLUTION
NO. 15-8

APPOINTING THE DEPUTY COUNTY CLERK

BE IT RESOLVED by the Council of the County of Maui that it does hereby appoint Josiah K. Nishita as the Deputy County Clerk of the County of Maui, effective retroactive to January 2, 2015, twelve o'clock meridian, for the term ending January 2, 2017, twelve o'clock meridian, unless terminated earlier.

CHAIR WHITE: Member Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

I MOVE TO ADOPT RESOLUTION 15-8, "APPOINTING THE
DEPUTY COUNTY CLERK".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Member Cochran, seconded by Member Victorino.

Member Cochran.

COUNCILMEMBER COCHRAN: May I have the County Clerk read the resolution in its entirety, please.

CHAIR WHITE: Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Member Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

And I just want to say that I wholeheartedly support Mr. Nishita in this position. I supported him previously and yes, he has proven his competence in the job position so I look forward to having him again working this term and I look for my fellow Members' support of the resolution. Thank you, Chair.

CHAIR WHITE: Thank you. Members, any other discussion?

COUNCILMEMBER BAISA: Chair.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you. I'll be very brief. I'd like to also add my support for Josiah. He is an unusual young man. He is very talented. He is very knowledgeable, works very hard, is very pleasant, and I think we've got a good team of Josiah and Mr. Mateo, they work well together. And I think that's very important. If you want to get things done, you've got to have a team that works. Thank you.

CHAIR WHITE: Well, I'll just add that I had the pleasure of working with Mr. Nishita on budget for one session and he was a very hard worker and willing to do whatever needed to get done. And I have a lot of respect for his, his work ethic and his, being a very sharp young man so I'm very supportive as well. Thank you for your comments.

Members, any further discussion. Seeing none, all those in favor please signify by saying "aye."

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes, nine "ayes", zero "noes".

Mr. Clerk, please proceed.

The following resolution was presented.

RESOLUTION
NO. 15-9

APPOINTING THE STAFF OF THE
OFFICE OF COUNCIL SERVICES

BE IT RESOLVED by the Council of the County of Maui that it does hereby approve the appointment of individuals to various positions in the Office of Council Services, effective retroactive to January 2, 2015, twelve o'clock meridian, for the term ending January 2, 2017, twelve o'clock meridian, unless terminated earlier, at the pay ranges and pay steps as provided for in Exhibit "A".

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO ADOPT RESOLUTION 15-9, "APPOINTING THE
STAFF OF OFFICE OF COUNCIL SERVICES".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Mr. Couch, seconded by Member Victorino.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Chair. Can I have the Clerk read the motion, the resolution in its entirety, please.

CHAIR WHITE: Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Member Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, when you look at the list in Exhibit "A", you see a list of very hard working folks. Without their support, a lot of the stuff that we do up here couldn't get done as quickly as it does. So, I wholeheartedly support the staff that is listed here. Not sure how the, the salary ranges go, so that's I believe up for another discussion further down on the list. So with this, I support, I ask for the Members full support of Resolution 15-9. Thank you.

CHAIR WHITE: Thank you. Members, further discussion?

Ms. Baisa.

COUNCILMEMBER BAISA: Ah, yes, thank you very much, Chair. I would like to again say as having had the honor and the privilege of working with this group, that they are outstanding. They work really, really hard, they're professional, they know what they're doing and they, they hold up very well under all kinds of deadlines. They're forever on a deadline, cause everything around here has to be dated and produced at a certain time. And I really appreciated their support.

You know, today's Inauguration was a good example of that. I tried to put it together before I left, but it was easy to do with about twelve of them. This one worrying about flowers, the other one about who stands where, and you know where we'd have the doughnuts. And they just take over and their into details and make sure that everything gets done. And it's a pleasure to work with those kind of people. So I would please ask my Members, let's support them because they do a really good job for us, they want to do a good job. And I'm very proud to have had the opportunity to work with them. Thank you.

CHAIR WHITE: Thank you.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. I too would like to support the resolution. I think all of us, every Councilmember here has worked well with the Council Services Office, and with the individuals there. And I don't think there's any Member here who could be as effective as he is without the dedication of the staff down there and their willingness to go the extra mile to make sure that we can do what we need to do to represent our people. Mahalo.

CHAIR WHITE: Thank you. Any further discussion, Members?

COUNCILMEMBER VICTORINO: Yes, Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, I'll make this very quick. I agree with what has been said by, by my colleagues, but I'll also add that they are very, very well suited to help the public, when the public calls them for questions or items, desiring information, they are bar none, quick to respond and give them what they can to help the public understand the process that we go through. So, I, I want to compliment them on that area also along with the rest. Thank you.

CHAIR WHITE: Thank you. Any further discussion? Seeing none, all those in favor of the motion, please signify by saying "aye."

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER HOKAMA.

CHAIR WHITE: Let the record reflect eight "ayes", one "no", Mr. Hokama. Measure passes. And we're going to take a ten minute recess. Please be back in your seats at 3:00.

(THE MEETING WAS RECESSED BY THE CHAIR AT 2:49 P.M., AND WAS RECONVENED AT 3:06 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR WHITE: This Council meeting shall come back to order. And Mr. Clerk, can we proceed with the item that was moved to the, not the end of calendar, but the, the end of the initial resolutions.

POSTPONED RESOLUTION

RESOLUTION
NO. 15-5

ESTABLISHING THE STANDING COMMITTEES OF
THE COUNCIL, DEFINING THEIR DUTIES, AND
APPOINTING THEIR MEMBERS

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT RESOLUTION 15-5 AS
PRESENTED, BE ADOPTED.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: It's been moved by Mr. Hokama, seconded by Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this resolution sets up the working structure of the Council, allowing you to refer specific items to the various committees for the committees to do their anointed work on behalf of the people, and so I ask the Members to support the resolution.

CHAIR WHITE: Thank you. Any further discussion, Members?

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair.

HAVING LOOKED AT THE COMMITTEE SCHEDULE, I WOULD LIKE TO MAKE A MOTION TO COMMITTEE OF THE WHOLE, TO JOIN IT WITH ECONOMIC AND DEVELOPMENT, ENERGY AND AGRICULTURE, RECREATION COMMITTEE WHICH MEETS ON TUESDAY. AND SINCE STACY CRIVELLO WOULD NOT HAVE THE VICE-CHAIR POSITION, MOVE HER AS VICE-CHAIR WHERE MR. VICTORINO IS TO THE LAND USE COMMITTEE.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Been moved by Mr. Carroll and seconded by Mr. Couch to make the changes as noted by Mr. Carroll's motion. Further discussion?

Oh, I'm sorry, Mr. Carroll.

COUNCILMEMBER CARROLL: Yeah, I don't talk that much. Yeah, Mr. Chair, this, in having a discussion with you earlier about procedures and what, and with Mr. Guzman earlier, like 20 minutes earlier, and Mr. Victorino and Ms. Crivello. Having an extra committee and especially meeting on Friday, it doesn't seem like you would need that, that Friday afternoon meeting all the time. It's not going to be that much of a load. I had that committee before, Committee of the Whole was actually a little bit more than that.

I think that Mr. Guzman can easily handle that, putting it together, makes it easier, we have less staff to split up to chair another committee and the secretary, etc., etc., etc. We need to make things easier and more efficient and I think this will go a long ways toward that end. Still yet, if he needs more time, the Friday afternoon and Tuesdays

are still open, if we, if he does need extra meetings just like anyone else. I would hope to have support for this. I think it's for the better of the Council and will let us serve our people in a more efficient manner. Thank you, Chair.

CHAIR WHITE: Thank you.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you. As the seconder of the motion, I, I support this. I, on the contingency that, you know, Mr. Guzman is okay with that because that affects his committee, so I'd like to hear from Mr. Guzman. Thank you.

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. I would be in opposition to the proposed amendment. I just become aware of it. I have already had plans set in motion to have a different schedule, to have a plan schedule to, to accommodate both committees EAR and COW. And if Mr. Carroll would like to have an opportunity to talk to me about that schedule I think it, it will be more efficient the way that I've planned it out. Combining the two means combining both staffs, I'm not sure whether the staff is prepared at this point. So, this last minute amendment, I would be opposed to. Thank you, Chair.

CHAIR WHITE: Any further discussion?

Ms. Baisa, followed by Ms. Crivello.

COUNCILMEMBER BAISA: Ah, thank you very much, Chair. Of course, I had had my own ideas about what the committees would look like but, and I live with this. The only suggestion that I really would like to make, and for what it's worth, if we going to consider combining these committees and maybe even not combining them. The Economic Development, Energy, Agriculture and Recreation Committee is a huge committee. It covers a multitude of activities.

And my idea was, I was hoping we would take energy and put it in Ms. Cochran's committee, because I think it's an excellent fit. I think it would lessen some of the things that this committee has to deal with and I think Ms. Cochran would be excellent dealing with it, you know, she has a penchant for this kind of stuff and I know she'd give it the energy and creativity. So that was, that's my only idea about this, my main idea.

CHAIR WHITE: Thank you.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I can appreciate Mr. Carroll's efforts to try and rearrange the committee, but I would have to support my colleague Mr. Guzman. You know, I have to give him much kudos for this first term that he has come on with Economic Development, Energy, and Ag and Recreation. I mean, he, he works hard. Don, I can appreciate that. And I think his work on the Committee of the Whole will continue to get the kind of dedication and commitment that this, this Council is noted for doing. So, I, I would, as I mentioned to Mr. Carroll, I will be leaning towards what Mr. Guzman feels is best as to how his committee is set up.

CHAIR WHITE: Any further discussion, Members?

COUNCILMEMBER COCHRAN: Chair.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And I, I appreciate Ms. Baisa's suggestion in regards to the energy moving into IEM, which yes, I'm very passionate about that. But currently, I'm satisfied the way the committees are set up. We've discussed it and I think we're prepared to address them in the order that they're in. And so I would like to just keep them standing as is at this point. I'm also, hopefully Vice-Chair to that particular committee, EAR and will be able to do, you know, my hard work with Mr. Guzman, there. So, I'm very comfortable in the way things are set at this moment. Thank you, Chair.

CHAIR WHITE: Thank you. Any further discussion, Members? Seeing none, the, the Chair feels that it's an uncomfortable combination to put litigated matters along with economic development, because the, the staffs are different, the focuses are different. One is always very positive, the other is not necessarily all that positive.

So I, I will not be supporting the motion although I, I appreciate Mr. Carroll's bringing it forward. And I do have to point out that Mr. Guzman in hearing Mr. Carroll's concerns about Friday afternoons has stated that he will be utilizing his EAR timeslot for litigated matters as the case may appear to be. Well, depending on what the schedule is for each of those committees. So, any further discussion, Members.

Ms. Baisa.

COUNCILMEMBER BAISA: I just want to be clear. So what I'm hearing is you're not planning on using the Friday afternoon of Council meetings for, for EAR.

CHAIR WHITE: We will use them as needed. Basically, right now, the Committee of the Whole is, is slotted for Friday afternoon's after Council meetings with the same notion that we've had in the past where we've had Friday afternoons open and then the following Tuesday open as well, Tuesday, during our off week. So those two slots will remain open. COW will be, be taking that slot when there is litigated matters, if there, if there is a full EAR agenda as well during that particular week. Is that, am I stating that correctly, Mr. Guzman.

VICE-CHAIR GUZMAN: That's correct, Chair. And having two committees, I can juggle both and accommodate both committees when there is heavy litigation matters or light litigation matters.

CHAIR WHITE: Okay, any further discussion, Members? Seeing none, again this is a vote on whether to amend the committee line up. So, all those in favor please signify by saying "aye."

AYES: COUNCILMEMBER CARROLL.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBERS BAISA, COCHRAN, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Measure fails, eight "noes", one "aye".

Okay, Members, we are back to the main motion establishing. Who was that?

COUNCILMEMBER COUCH: Thank you.

CHAIR WHITE: I heard it but I didn't see.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you. If I may, Mr. Chair, I know, Chair Baisa brought up another alternative and, and Ms. Cochran's okay with the way it is. Question would be for Mr. Guzman, if he's interested in taking energy and moving it over to Ms. Cochran's committee. If he is I'll make an amendment, if not, no worries.

CHAIR WHITE: Well, I'll let Mr. Guzman speak for himself. But the Chair's preference is that we, we move the bill, we move the resolution as is. I think those discussions are appropriately held between the Chairs and, and if they agree to something of that sort, we can bring it right back to the floor and, and make it happen.

Okay, any further discussion? All those in favor of the main motion, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes, nine "ayes", zero "noes".

Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, proceeding with county communications.

COUNTY COMMUNICATIONS

NO. 15-1 - MIKE WHITE, COUNCIL MEMBER,
(dated December 26, 2014)

Relating to referral of various matters anticipated to be pending at the end of the 2013-2015 Council term.

Exhibit "A" - Budget and Finance Committee

Bill No. 97 (2010), County Communication Nos. 14-157, 14-184, and 14-223.

Exhibit "B" - Economic Development, Energy, Agriculture, and Recreation Committee

County Communication Nos. 12-5, 13-85, and 13-219.

Exhibit "C" - Land Use Committee

County Communication Nos. 06-313, 11-199, 03-213, 09-181, 09-246, 14-137, 14-161, 14-162, 14-262, 14-284, and 10-42.

Exhibit "D" - Planning Committee

County Communication Nos. 12-142, 06-276, 14-278, and 14-283, and Bill Nos. 66 (2006) and 67 (2006).

Exhibit "E" - Policy and Intergovernmental Affairs Committee

County Communication Nos. 11-30 and 13-41, and Resolution No. 14-70.

CHAIR WHITE: Vice-Chair Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. County Communications 15-1 attaches various communications listed in Exhibits "A" through "E" that were pending at the end of the prior Council term and have been referred to the new Council by operation of Rules of the Council.

I MOVE TO (1) REFER THE LISTED COMMUNICATIONS UNDER PIA-1, ENTITLED "LITIGATION MATTERS" ON EXHIBIT "E" TO COMMITTEE OF THE WHOLE; (2) REFER ALL THE OTHER LISTED COMMUNICATIONS TO THE SAME COMMITTEE IN WHICH THEY WERE PENDING AT THE END OF 2013-2015 TERM; AND (3) FILE COUNTY COMMUNICATION 15-1.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: Been moved by Vice-Chair Guzman and second by Mr. Victorino.

Take a quick recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:18 P.M., AND WAS RECONVENED AT 3:19 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR WHITE: The Council meeting will come back to order.

Okay, it's been moved and seconded, moved by Vice-Chair Guzman and seconded by Mr. Victorino to refer the matters as recommended by Vice-Chair Guzman. Any further discussion? Seeing none, all those in favor, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes, and those items will be referred to the appropriate committee.

Mr. Clerk.

NO. 15-2 - MIKE WHITE, COUNCIL MEMBER,
(dated December 26, 2014)

Relating to referral of various matters that were referred to the Council Chair for the term beginning January 2, 2015, pursuant to recommendations in committee reports adopted on December 19, 2014.

Exhibit "A" - Budget and Finance Committee

Establishing a Traffic Impact Fee Structure.

Exhibit "B" - Budget and Finance Committee

County Communication Nos. 09-338, 10-185, 11-16, 11-17, 11-227, 11-290, 12-164, 12-231, 13-9, 13-107, 13-338, 13-351, 13-392, 14-17, 14-97, 14-145, 14-171, 14 210, 14-222, 14-259, 14-266, 14-275; Committee Report No. 10-16; Miscellaneous Communication relating to Contract C5566 between the County and Cultural Surveys Hawaii, Inc., for professional services relating to Archaeological Inventory Survey for the Mokuhinia Ecosystem Restoration Project for the Department of Management; and Miscellaneous Communication relating to additional emergency medical services funding from the State.

Exhibit "C" - Economic Development, Energy, Agriculture, and Recreation Committee

County Communication Nos. 11-304, 13-279, 13-325, 13-399, 14-10, 14-60, 14-78, 14-136, 14-159, 14-213, 14-214, 14-215, 14-224, 14-225, 14-276; Miscellaneous Communication relating to alternative energy production; Miscellaneous Communication relating to commercial ocean recreational activity fees, fines, and penalties; Miscellaneous Communication relating to the fees and deposits charged for the use of park facilities; Miscellaneous Communication relating to a potential redesign of the South Maui gymnasium in Kihei to a multi-purpose center; and Miscellaneous Communication relating to volunteer agreements for park maintenance.

Exhibit "D" - Housing, Human Services, and Transportation Committee

County Communication Nos. 11-177, 13-204, 13-299, 13-343, 13-344, 14-111, 14-260, Miscellaneous Communication relating to a review of management of the Hale Makana O Waiale Rental Rehabilitation facility; Miscellaneous Communication relating to the Animal Management Program; Miscellaneous Communication relating to animal management revolving fund fees and their use; and Miscellaneous Communication relating to equitably spreading the cost of animal control services to animal owners.

Exhibit "E" - Infrastructure and Environmental Management Committee

County Communication Nos. 13-28, 13-29, 13-30, 13-32, 13-33, 13-34, 13-59, 13-135, 13-303, 13-346, 14-113, 14-187, 14-200, 14-226, 14-249, 14-261, 14-277; Committee Report No. 14-143; Miscellaneous Communication relating to the Pavement Preservation Program (Department of Public Works); Miscellaneous Communication relating to an evaluation of the Waiko Road Subdivision sewer system project, including community outreach regarding costs and impacts to homeowners; Miscellaneous Communication relating to bridge-design bundling and related cost efficiencies; Miscellaneous Communication relating to the County's information technology infrastructure, including updates from the Management Information Systems program and development of the County's computer security preparedness plan; and Miscellaneous Communication relating to "sustainability", how it is defined, and its relationship to Section 8-15.3(4) of the Revised Charter of the County of Maui (1983), as amended.

Exhibit "F" - Planning Committee

County Communication Nos. 10-253, 11-220, 13-78, 13-137, 13-207, 13-284, and 14-175.

Exhibit "G" - Policy and Intergovernmental Affairs Committee

County Communication Nos. 09-229, 09-314, 12-121, 12-181, 13-45, 13-65, 13-138, 13-181, 13-226, 13-329, 13-349, 14-163, 14-165, 14-279, 14-285; Miscellaneous Communication relating to transfer of the functions of shoreline and ocean rescue and safety from Department of Parks and Recreation to Department of Fire and Public Safety; Miscellaneous Communication relating to cost recovery of helicopter service provided by Department of Fire and Public Safety; Miscellaneous Communication relating to Civil 09-1-0245(1); Cabebe et al. v. New Sand Hills, listed in two reports on the settlement of claims as of March 31, 2013. Miscellaneous Communication relating to proposed transfer of Grants Management Program from Department of Housing and Human Concerns to the Department of Finance; Miscellaneous Communication relating to "cyber breach" insurance as a part of the County risk management activities; Miscellaneous Communication relating to cost recovery for rescues; Miscellaneous Communication relating to water flow requirements for fire control in rural areas.

Exhibit "H" - Water Resources Committee

County Communication Nos. 06-160, 12-133, 14-217; Committee Report No. 12-124; Miscellaneous Communication relating to optimizing the \$12,600,000 investment of countywide mainline and water infrastructure improvements for Fiscal Year 2015; Miscellaneous Communication relating to categories of agricultural water rates for Fiscal Year 2015; Miscellaneous Communication relating to water system development fee adjustments for Fiscal Year 2015, including possible subsidies, availability of affordable housing fund assistance, minimizing impacts on real estate speculation, and rates for Molokai residents and applicants on the Upcountry priority list.

CHAIR WHITE: Vice-Chair Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. County Communications 15-2 attaches various communications listed in Exhibit "A" through "H" that have been referred to the new Council pursuant to committee reports adopted by the prior Council.

I MOVE TO (1) REFER TO THE LISTED COMMUNICATIONS UNDER BF-70, BF-85, BF-86 RELATING TO REAL PROPERTY TAX ORDINANCES ON EXHIBIT "B" TO THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE WHICH IS NOW HAS JURISDICTION OVER SUCH ORDINANCES; (2) REFER ALL OTHER LISTED COMMUNICATIONS TO THE SAME COMMITTEE THAT ISSUED COMMITTEE REPORTS ON THE COMMUNICATIONS FOR COUNCIL MEETINGS OF DECEMBER 19, 2014; AND (3) FILE COUNTY COMMUNICATION 15-2.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: Been moved by Vice-Chair Guzman and second by Mr. Victorino to refer these matters as recommended. Members, further discussion?

The Chair is going to take a five minute recess. There's something in here that not--

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:21 P.M., AND WAS RECONVENED AT 3:26 P.M., WITH ALL MEMBERS PRESENT.)

CHAIR WHITE: This Council meeting will come back to order.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. I'd like to have a friendly, make a motion for a friendly amendment, by deleting my first reference, number one and restating my motion.

CHAIR WHITE: Maybe if you could just withdraw your initial motion.

VICE-CHAIR GUZMAN: Okay, thank you, Chair. I'd like to withdraw my initial motion.

CHAIR WHITE: Okay, thank you.

VICE-CHAIR GUZMAN: Thank you, Chair. County Communications 15-2 attaches various communications listed in Exhibit "A" through "H" that have been referred to the new Council pursuant to the committee reports adopted to, by the prior Council.

I MOVE TO REFER ALL OTHER LISTED COMMUNICATIONS
TO THE SAME COMMITTEE THAT ISSUED COMMITTEE
REPORTS ON THE COMMUNICATIONS FOR THE COUNCIL
MEETING ON DECEMBER 19, 2014 AND FILE COUNTY
COMMUNICATION 15-2.

CHAIR WHITE: Thank you, do we have a second.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: Okay, it's been moved by Vice-Chair Guzman and seconded by Mr. Couch
to refer the matters as noted. Further discussion, Members?

COUNCILMEMBER COUCH: Mr. Chair.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: So, in his first motion he listed several things that because of
their new status, or the new committee statuses moved over. We're not doing those
now?

CHAIR WHITE: There are, we're leaving the items that were in the existing committees
there for now.

COUNCILMEMBER COUCH: Okay. All right, thank you.

CHAIR WHITE: Any further discussion? Call for the question, all those in favor, please
signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COCHRAN,
COUCH, CRIVELLO, HOKAMA, VICTORINO,
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

CHAIR WHITE: Measure passes, nine "ayes", zero "noes".

Mr., Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, the following communications will be referred to the following Committees.

NO. 15-3 - MIKE WHITE, COUNCIL MEMBER,
(dated December 26, 2014)

Relating to the salary schedule for Office of Council Services staff and its impacts on the annual budget.

The recommended action is that County Communication No. 15-3 be referred to the Budget and Finance Committee.

NO. 15-4 - MIKE WHITE, COUNCIL MEMBER,
(dated December 23, 2014)

Relating to requests for Council approval of affordable housing projects pursuant to Chapter 201H, Hawaii Revised Statutes.

The recommended action is that County Communication No. 15-4 be referred to the Land Use Committee.

NO. 15-5 - MIKE WHITE, COUNCIL MEMBER,
(dated December 23, 2014)

Relating to nominations to boards, committees, and commissions.

The recommended action is that County Communication No. 15-5 be referred to the Policy and Intergovernmental Affairs Committee.

NO. 15-6 - MIKE WHITE, COUNCIL MEMBER,
(dated December 23, 2014)

Relating to litigation matters.

The recommended action is that County Communication No. 15-6 be referred to the Committee of the Whole.

CHAIR WHITE: Members are there any objection to the referrals as read by the Clerk.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Seeing no objections, those referrals will take place as noted.

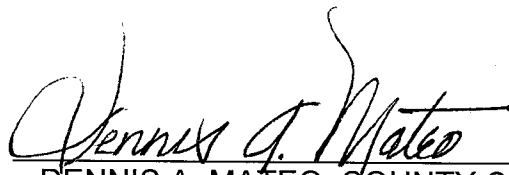
Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you very much, Mr. Clerk. And thank you Members, and thank you to all those of you who joined us this afternoon. This will be a very engaging and productive year as we all know each other and can depend on us to move things well and with a lot of diligence. And I look forward to the work that will be done by the various committees, I think we've got people in the Chair positions that will do great work. So with that, we are adjourned.

ADJOURNMENT

The organizational meeting of January 2, 2015 was adjourned by the Chair at 3:32 p.m.

A handwritten signature in black ink, reading "Dennis A. Mateo", written over a horizontal line.

DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII